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08/903,743 07/31/97 LONG

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NEW YORK NY 10112-3801

EXAMINER

CHANG, L

ART UNIT

PAPER NUMBER

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/903,743

Applicant(s)
Timothy et al

Examiner
Leon L Chang

Group Art Unit
2777



☒ Responsive to communication(s) filed on Jul 31, 1997

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-31 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-31 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Oath/Declaration

2. It appears that at least one full given name of applicant James Robert METCALFE is not present either in the signature or elsewhere in the papers. This application will not be passed to issue until the omitted name has been supplied or unless a statement has been supplied over the applicant's signature setting forth that the name as signed is the actual full name of applicant James Robert METCALFE. See MPEP § 605.04.

Specification

3. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

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The abstract of the disclosure is objected to because legal phraseology "said".

Correction is required. See MPEP § 608.01(b).

The abstract of the disclosure is objected to because repeat information given in the title.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claims 8, 16 the phrase "as many - - - as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claims 20 and 21 recite the limitation "in claim 16 wherein each hyper-link " in claim. There is insufficient antecedent basis for this limitation in the claim 16. But it recites on claim 19, changing to "in claim 19" is suggested for examining purpose.

Claims 12 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

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With respect to dependant claim 12 dependant from claim 10:

Claim 12 recites hyper-link index excludes hyper-link reference of hyper-text documents represented in formatted version, which is contradict with claim 10, Because the claim 10 recites a hyper-text link index of all the hyper-link reference in all the hyper-text documents represented in formatted version. The universal statement "all" is including every element in a whole domain, so logically it cannot state something "exclude".

Claim 12 is not treated under art because the claim cannot be interpreted due to the contradiction.

With respect to dependant claim 21 dependant from claim 19:

Claim 21 recites hyper-link index excludes hyper-link reference of hyper-text documents represented in formatted version, which is contradict with claim 19, Because the claim 19 recites a hyper-text link index of all the hyper-link reference in all the hyper-text documents represented in formatted version. The universal statement "all" is including every element in a whole domain, so logically it cannot state something "exclude".

Claim 21 is not treated under art because the claim cannot be interpreted due to the contradiction.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-5,13-14,16-17, 22-23 and 25-31 are rejected under 35 U.S.C. 102(a) as being anticipated by Judson (U.S. 5,37,619. 04/98).

With respect to claim 1:

Judson discloses the method to manage the Web browser display comprising following steps:

1. Monitoring a user's access patterns to hypertext documents;
2. Accessing structure information of the hypertext document;
3. Creating a formatted version of the accessed document;

Monitoring step shown In column 7 lines 29-33, "For example, if the user accesses web pages relating to particular service, the browser may be programmed to identify the access history".

Accessing and creating steps shown in column 1 BACKGROUND OF THE INVENTION section, It is well known in World Wide Web system that the browser should access the structure information of the hypertext document at first, and then the browser can interpret the source hypertext document and formats the document for display at display device and print at printing devices.

With respect to dependant claim 2 dependant from claim 1:

Judson method the steps in claim 1 are performed while the user accesses the hypertext document.

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With respect to dependant claim 3 dependant from claim 1:

Judson discloses the formatted version of documents is created upon user accessed each time, As seen in column 1 lines 39-40 “the user initiates the link and the return the web page”, the web page then can be display and print, And each time user access will return new web pages.

With respect to dependant claim 4 dependant from claim 1:

Judson discloses the process performed on background mode, As seen in column 9 lines 37-40 “at step 114 as a background process. By “background process.” it is meant that the process goes on without being directly or indirectly apparent to the user”.

With respect to dependant claim 5 dependant from claim 1:

It is inherent in hypertext document processing system the document should be accessed (selected) by user then the browser can process the document. The system performs different instructions in different clock pulse time cycles.

With respect to dependant claim 13 dependant from claim 1:

Judson discloses the method to process the hypertext document which includes the HTML documents, seen in the section of BRIEF SUMMARY OF THE INVENTION.

With respect to dependant claim 14 dependant from claim 1:

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As shown in BACKGROUND OF THE INVENTION section, Judson discloses the hypertext documents accessed using Internet protocols, such as HTTP, FTP, TCP/IP.

With respect to claim 16:

Claim 16 recites the same subject matter as step 2, step 3 of the claim 1, similarly rejected.

With respect to dependant claim 17 dependant from claim 16:

It is inherent in World Wide Web system. The home page(Web site) is in hyper-link, and the web site can link many sub-level document(derived hyper-text). The documents are determined by a user select.

With respect to dependant claim 22 dependant from claim 16:

Claim 22 recites the same subject matter as claim 13, similarly rejected.

With respect to dependant claim 23 dependant from claim 16:

Claim 23 recites the same subject matter as claim 14, similarly rejected.

With respect to claim 25:

Claim 25 is the apparatus to perform the method of claim 1, similarly rejected.

With respect to claim 26:

Claim 26 is the apparatus to perform the method of claim 16, similarly rejected.

With respect to claim 27:

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Claim 27 recites the same subject matter as claim 1, similarly rejected.

With respect to claim 28:

Claim 28 is the system to perform the method of claim 27, similarly rejected.

With respect to claim 29:

Claim 29 is the readable medium storing instruction module, which to perform the method of claim 1, and the collating module collate the document “to be substantially seamless - - - minimize vacant or wasted space” is same meaning as claim 1 format document “as many - - - as can reasonably fit in space -- -”. similarly rejected.

With respect to dependant claim 30 dependant from claim 29:

It is inherent a computer network system could be comprised some readable medium, which may be a hard disk, a floppy disk and an optical disk, seen in column 8 lines 1-21.

With respect to claim 31:

Claim 31 is the means (may be an apparatus, a method, or readable medium storing instruction module, - - -etc) to perform the method of claim 1, similarly rejected.

Claim Rejections - 35 USC § 103

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5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Judson (U.S. 5,737,619. 05/97) as applied to claim 1 above.

With respect to dependent claim 6 dependent from 1:

It is inherent to access the hypertext document in same computer does not necessary to apply the clock time device for synchronization.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Judson (U.S. 5,737,619. 04/98) as applied to claim 1 above, and further in view of Hayashi et al (U.S. 5,633,996. 05/97).

With respect dependent claim 7 dependent from claim 1:

Judson method didn't show the document text in multiple columns, but Hayashi discloses the web page editing method, which can edit web pages as single or a multiple column page. It is shown in FIG. 26 - FIG. 51. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement the method of Hayashi's to Judson procedure for

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editing the web page in multiple column format, because Hayashi teaches the techniques of editing web pages.

With respect dependent claim 8 dependent from claim 1:

Claim 8 is same subject matter as claim 7, Hayashi discloses the web page editing method, which can edit web pages as single or a multiple column page. It is shown in FIG. 26 - FIG. 51. And shown in column 3 lines 7-9 "lays out the contents of a document by searching an area for display or printing". As seen in DESCRIPTION OF THE PREFERRED EMBODIMENTS section, The method holds the various controllers to control layout units, areas, user can arrange the web page layout as many objects (layout units, portions of a document) as the area can fit. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement the method of Hayashi's to Judson procedure for editing the web page in multiple column format, and putting as many objects as the area can fit, because Hayashi teaches the techniques of editing web pages.

Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Judson (U.S. 5,737,619. 05/97) as applied to claim 1 above, and further in view of Yoda (U.S. 5,890,173 03/99).

With respect to dependent claim 9 dependent from 1:

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Yoda discloses the method for printing the information from Web Page. That the method uses the table to maintain the printing list, seen in FIG. 10 the table contains the document number and page number(position). It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement the method of Yoda's to Judson procedure for managing the document list in the table, because Yoda teaches the advantage of using the table to manage the document list from web sites.

With respect to dependent claim 10 dependent from 9:

Each Web site(home page) and Web pages located by hyper-link address, and sen in FIG.1 - FIG.6, Yoda teaches the usage of the table to maintain the link list. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement the method of Yoda's to Judson procedure to build the index of hyper-link. Because Yoda teaches the advantage of using the table to manage the document list from web sites.

With respect to dependent claim 11 dependent from 10:

Yoda teaches the "TWO-WAY LINK MANAGEMENT TABLE" and the "LINK INFORMATION MANAGEMENT UNIT" to process the multiple linkage table, and then cross reference each other. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement the method of Yoda's to Judson procedure to extract the formatted version with hyper-link cross reference, Because Yoda teaches the advantage of using the two-way linkage management.

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Claims 15 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Judson (U.S. 5,737,619. 05/97) as applied to claim 1 above, and further in view of in view of BORLAND, QUATTRO PRO User's Guide, 1992, and Mark R. Brown, Special Edition USING Netscape 2, 1995.

With respect to dependant claim 15 dependant from claim 1:

Borland QUATTRO user's guide p.129 teaches using print view button to see an on screen preview of how the document will appear, and Mark Special Edition USING Netscape 2, in p.937 shown the Netscape 2 allow the uer edit web page on line and display viewing screen on multiple window. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to implement the method of Borland's and Mark's to Judson procedure to preview the document in continuously while user accessed a hyper-link document. Because Borland teaches preview method and Mark teaches display preview screen on the multiple windows.

With respect to dependant claim 24 dependant from claim 16:

Claim 24 is the same subject matter as claim 15, similarly rejected.

Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Judson (U.S. 5,737,619. 05/97) as applied to claim 16 above, and further in view of Yoda (U.S. 5,890,173 03/99).

With respect to dependent claim 18 dependent from 16:

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Claim 18 is the same subject matter as claim 9, similarly rejected.

With respect to dependent claim 19 dependent from 16:

Claim 19 is the same subject matter as claim 10, similarly rejected.

With respect to dependent claim 19 dependent from 16:

Claim 20 is the same subject matter as claim 11, similarly rejected.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leon L.Chang whose telephone number is (703) 306 - 5573. The examiner can normally be reached on Monday through Friday from 8:00 AM to 5:30 PM except each second Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anton Fetting, can be reached on (703) 305 - 8449. The fax number to this Art Unit is (703) 308 - 5403.

9. Any response to this action should be mail to:

Commission of Patents and Trademarks

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Washington, D.C. 20231

or faxed to :

(703) 308 - 9051, (for formal communications intended fo entry)

Or:

(703) 305 - 9724, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")



**ANTON FETTING
PRIMARY EXAMINER**